

#7/Election
6-18-02
Hawkins

Before Final - Official

Practitioner's Docket No.: 815_001

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Masahiko NAMERIKAWA, Kazuyoshi SHIBATA and Masaki IWAMOTO

Ser. No.: 09/918,274

Art Unit: 2834

Filed: July 30, 2001

Examiner: Budd, Mark Q.

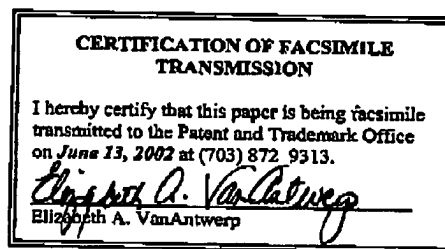
Confirmation No.: 2785

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JUN 13 2002

For: PIEZOELECTRIC/ELECTROSTRICTIVE ELEMENT AND
PIEZOELECTRIC/ELECTROSTRICTIVE DEVICE AND PRODUCTION
METHOD THEREOF TECHNOLOGY CENTER 2800

Assistant Commissioner for Patents
Washington, D.C. 20231



RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Office Action mailed May 30, 2002, applicants hereby provisionally elect, with traverse, to prosecute the claims of Group I (claims 1-20) in this application.

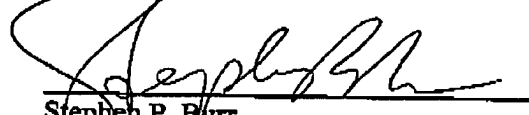
However, applicants respectfully traverse the restriction requirement since the subject matter of claims 1 - 26 is sufficiently related that a thorough and complete search for the subject matter of the elected claims would necessarily encompass a thorough and complete search for the subject matter of the non-elected claims. Thus, it is respectfully submitted that search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is clearly stated that "[i]f the search and examination of an entire

application can be made without serious burden, the Examiner must examine it on the merits." It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to applicants and improper duplicative examination by the Patent Office.

If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,



Stephen P. Burr
Reg. No. 32,970

June 13, 2002

Date

SPB/eav

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